

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

Phillip L. Rosemann, et. al.	)	
	)	
Plaintiff's,	)	
	)	Case No. 4:10-cv-01165-DJS
vs.	)	
	)	
Martin Sigillito, et. al.	)	Judge: Honorable Linda R. Reade
	)	(Chief Judge Dist. Ct. N. Dist. Iowa)
Defendant's	)	
_____	)	

**JOINT SCHEDULING PLAN**

The parties hereby propose and agree to the following joint scheduling plan:

1. The assignment to Track Two (Standard) is accepted.
2. Joinder of any parties will occur on or before January 1, 2011.
3. Amendments to the Pleadings, if any, will be submitted before January 1, 2011.
4. Disclosures pursuant to FRCP Rule 26(a)(1), will be done by October 15, 2011.
5. Discovery will not be conducted in phases or limited to certain issues.
6. The presumptive limits of ten (10) depositions per side as set forth in FRCP Rule 30(a)(2)(A), and the twenty-five (25) interrogatories per party as set forth in FRCP Rule 33(a), will apply in this case.

7. Reports of expert witnesses and the dates by which each party shall make its expert witnesses available for deposition is February 1, 2011.

8. No physical or mental examinations of parties will be requested pursuant to FRCP Rule 35.

9. All written discovery and depositions will be completed by May 1, 2011.

10. The parties do not wish to modify, by stipulation, the procedures or timing of disclosure of expert testimony from the standards set forth in FRCP Rule 26(a)(2).

11. Motions for Summary Judgment may be filed by June 1, 2011.

12. The earliest date by which this case should reasonably be expected to be ready for trial is August 1, 2011, and the length of time expected to try the case is five days.

13. Neither Alternative Dispute Resolution nor Early Neutral Evaluation is appropriate in this case based on past attempts at resolution.

Respectfully submitted,

Respectfully submitted,

/s/ Martin Sigillito

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/s/ Sebastian Rucci

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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties via the Court's electronic filing system and parties may access this filing through the Court's Case management/Electronic Case Files (CM/ECF) found on the internet at <https://ecf.moed.uscourts.gov>.

/s/ Sebastian Rucci

Sebastian Rucci (Eastern Dist Reg. No. 76207)